

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Benjamin Caleb Neal,

Civil No. 22-cv-0758 (PJS/TNL)

Plaintiff,

v.

**ORDER**

Rochester Police Department et al.,

Defendants.

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Based upon the Report and Recommendation by United States Magistrate Judge Tony N. Leung dated June 9, 2022 (ECF No. 5), along with all the files and records, and no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: July 11, 2022

s/Patrick J. Schiltz  
Patrick J. Schiltz, Chief Judge  
United States District Court